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August 19, 2024

VIA ECF

Honorable Arun Subramanian
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007-1312

Re: *Universal Protection Service, LLC D/B/A Allied Universal Security
Services v. Joseph Tuccio*
24-cv-5259 (AS)

Dear District Judge Subramanian:

This office represents Defendant Joseph Tuccio (the “Defendant”), in the above-referenced matter. We write with consent of Plaintiff’s counsel to request an adjournment of the August 19, 2024 conference, currently scheduled for 4:00 p.m., and to request a stay of all deadlines (including Plaintiff’s time for file a reply memorandum of law in support of Plaintiff’s motion to dismiss).

This adjournment is sought because the parties are cautiously optimistic in their ability to work towards a mechanism to amicably resolve this matter. Our preference is to provide a status update on or before September 6, 2024, which will either advise that the matter is resolved or seek the Court’s assistance in resolving the dispute.

This is the first request to adjourn the August 20, 2024 conference, which was previously scheduled for August 14, 2024.

Very truly yours,

/s/ **Justin R. Marino**

Justin R. Marino

cc: Plaintiff’s Counsel Of Record (Via ECF)

The request for an adjournment is GRANTED. The request for a stay is DENIED. The Court appreciates that the parties may be cautiously optimistic that a settlement is on the horizon, but as the Court recalls things, the parties had worked out all the terms of a deal, save for a single provision. And yet, weeks have passed with the parties having been unable to bridge the gap. The Court remains available tomorrow (or any other day) if the parties could use its help to get a deal done, and if so, we’re happy to set up a remote dial-in for counsel and principals so that folks don’t need to come all the way to the courthouse. But as for the pending motions and case proceedings, the Court doesn’t stay cases in light of settlement discussions. The parties are directed to provide the Court with a status update regarding the resolution of this matter by September 6, 2024 at 5:00 pm ET.

The Clerk of Court is directed to terminate Dkt. 35.

SO ORDERED.



Arun Subramanian, U.S.D.J.
Dated: August 19, 2024